

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Douglas J. Hilton, et al. **Examiner:** TO BE ASSIGNED
Serial No.: TO BE ASSIGNED **Art Unit:** TO BE ASSIGNED
Filed: Herewith **Docket:** 11268a
For: A NOVEL HAEMOPOIETIN RECEPTOR **Date:** December 7, 2001
AND GENETIC SEQUENCES ENCODING SAME

Assistant Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

In connection with the filing of the above-identified application, kindly enter the following preliminary amendments.

IN THE SPECIFICATION:

Please insert the following paragraph at page 1, line 3:

--CROSS REFERENCE TO RELATED APPLICATION

This application is a divisional of Serial No. 09/043,816, filed on September 17, 1998.--


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Date of Deposit: **December 7, 2001**

I hereby certify that this Preliminary Amendment is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, DC 20231.

Dated: **December 7, 2001**


Janet Grossman

IN THE CLAIMS:

Please cancel claims 1-5 and 12-14 without prejudice.

Please add the following claims:

23. A polypeptide fragment of the recombinant haemopoietin receptor according to any one of claims 6-11, wherein said polypeptide fragment binds leptin.
24. The polypeptide fragment according to claim 23, comprising the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.
25. An antibody to the polypeptide fragment of claim 23.
26. An antibody to the polypeptide fragment of claim 24.
27. The method of claim 19, wherein said ligand binding portion comprises the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.
28. The pharmaceutical composition of claim 20, wherein said ligand binding portion comprises the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.
29. The method of claim 22, wherein said ligand binding portion comprises the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.

REMARKS

The specification has been amended to add the section of cross-reference to the parent application.

Claims 1-5 and 12-14 have been canceled without prejudice. Applicants reserve the right to pursue the subject matter of the canceled claims in a continuing application.

Claims 23-29 have been added. Claims 23-24 are drawn to a polypeptide fragment of the recombinant haemopoietin receptor according to claims 6-11 wherein the fragment binds the ligand leptin. Claims 25-26 are directed to antibodies towards such ligand-binding fragment.

Claims 27-29 depend from claims 19, 20 and 22, respectively, and further delineate the ligand binding portion recited in claims 19, 20 and 22 as comprising the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13. Support for claims 23-29 are found throughout the specification, particularly at page 7, line 28 to page 8, line 6; page 16, lines 14-16; page 34, lines 5-9 (describing the Y26-D839 portion of NR2); page 35, lines 22-26 (describing the expression of such receptor portion in COS cells); and page 40-41 (describing the binding of such receptor portion to leptin).

Applicants respectfully submit that the foregoing amendments do not introduce new subject matter. Attached hereto is a marked-up copy of the amendment to the specification and the claims, captioned "**Version with Markings to Show Changes Made.**"

It is respectfully submitted that the present case is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,



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Serial No.: TO BE ASSIGNED

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23. A polypeptide fragment of the recombinant haemopoietin receptor according to any one of claims 6-11, wherein said polypeptide fragment binds leptin.

24. The polypeptide fragment according to claim 23, comprising the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.

25. An antibody to the polypeptide fragment of claim 23.

26. An antibody to the polypeptide fragment of claim 24.

27. The method of claim 19, wherein said ligand binding portion comprises the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.

28. The pharmaceutical composition of claim 20, wherein said ligand binding portion comprises the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.

29. The method of claim 22, wherein said ligand binding portion comprises the amino acid sequence of Tyr26 to Asp839 of SEQ ID NO: 13.